

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:08-CR-48
)	
JOSE MARTINES,)	(VARLAN/SHIRLEY)
)	
Defendant.)	

MEMORANDUM AND ORDER

This cause came before the Court on October 15, 2009, for a motion hearing on Defendant Jose Martines' Motion to Withdraw as Attorney of Record [Doc. 291], which was referred [Doc. 292] to the undersigned on October 13, 2009. See 28 U.S.C. § 636(b). Assistant United States Attorney Tracy L. Stone appeared on behalf of the Government. Defendant Jose Martines appeared along with Attorney Russell T. Greene and participated with the aid of an interpreter.

The Defendant's motion asks the Court to appoint new counsel because he and Mr. Greene have "come to an impasse" in their relationship. At the hearing, the Court discussed the issues with the Defendant and Mr. Greene, who also conferred with each other privately during a recess. At the conclusion of the hearing, the Defendant and counsel agreed that Mr. Greene could continue to represent the Defendant and that the motion could be denied. Accordingly, the Defendant's Motion to Withdraw as Attorney of Record [Doc. 291] is **DENIED as moot**. Defendant Martines' change

of plea hearing, previously set for October 19, 2009, at 9:00 a.m., before United States District Judge Thomas A. Varlan, is **RESET** to **October 22, 2009, at 10:00 a.m.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge